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(3)

No. 06-801

IN THE

Supreme Court of the United States

JOHN E. SHAVERS, *PRO SE*

Petitioner

v.

UNITED STATES FIRE INSURANCE COMPANY, et al.,
PETITIONING CREDITORS,

Respondents

ON PETITION FOR REHEARING, DENIAL, PETITON FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

PETITIONER'S PETITION FOR REHEARING

JOHN E. SHAVERS, *Pro Se*
Post Office Box 13127
Pensacola, Florida 32591-13127
(850) 255-5300

MAY IT PLEASE THIS HONORABLE COURT:

Petitioner, John E. Shavers, petitions this Honorable Court for Rehearing of Order Denying Petition for WRIT OF CERTIORARI ON THE MERITS, rendered March 19, 2007, and would show unto this Honorable Court the following, intervening and superceding actions requiring reconsideration by this Honorable Court, filed within the applicable time limit of 25 days, as timely corrected in accordance with letter of deficiency, April 17, 2007.

1. This Application for Writ of Certiorari involves the constitutionality of an involuntary Chapter 11 bankruptcy, filed against your petitioner in a court of improper jurisdiction and venue August 5, 2003 in the United States Bankruptcy Court for the Eastern District of Louisiana.

2. On April 2, 2007, in *United States of America v. Paul S. Minor, John H. Whitfield, and Walter W. "Wes" Teel,* Criminal No. 3:03cr120 WS United States District Court for the Southern District of Mississippi, two former Mississippi State Court judges, namely John H. Whitfield and Walter W. "Wes" Teel were convicted of "devising and intending to devise a scheme and artifice to defraud and deprive the State of Mississippi of its intangible right to honest services" by accepting bribes as judges to "fix" cases under Civil Rico.

3. A true copy of the Jury Verdict is attached to this Petition for Rehearing, occurring March 30, 2007,

within the time for Rehearing. The Jury Verdict is non-final and convicted Judges are not subject to Federal Sentence.

4. The Constitution of the United States of America in its due process guarantees each litigant the right to a fair trial, Fifth and Fourteenth Amendments, United States Constitution.

5. The absence of a fair and impartial jurist renders any and all Judgments rendered void as a matter of law.

6. The State of Mississippi, through its former Chief Justice, Hon. Ed Pittman has indicated to all state litigants that if the named jurists were convicted of these Civil Rico charges of bribery that each litigant could reopen any case so affected by the taint of convictions of Judges Whitfield and Teel.

7. Judges Teel and Whitfield conducted either all or portions of cases producing judgments resulting in claims in the involuntary bankruptcy of your Petitioner by Petitioning Creditors Herbert J. Stelly, Sr., James A. Koerber and United States Fire Insurance Company.

8. The reopening of predicate cases and the setting aside of Judgments resulting in claims post convictions of Judges Whitfield and Teel would render the involuntary bankruptcy of your petitioner John E. Shavers void for lack of jurisdiction and three qualifying creditors, under Title 11:303 United States Code and would render this Petition for Writ of Certiorari "moot" for lack of a bankruptcy.

9. Judge Wes Teel presided over the seven-year divorce

of / between John and Ann Shavers, and as such, had exclusive jurisdiction over the marital assets as Chancery Court Judge, which court rulings and judgments on appeal are subject to be set aside as unconstitutional due to his conviction.

10. Judge John Whitfield presided over the Herbert J. Stelly, Jr. claim against John E. Shavers, which is also subject to be set aside as unconstitutional due to the related bribery convictions.

11. This Petition for Rehearing is not interposed for delay, but is presented to this Court as an intervening circumstance of a substantial or controlling effect on substantial grounds not previously presented, in accordance with Rule 44, Supreme Court Rules.

CONCLUSION

WHEREFORE, JOHN E. SHAVERS, pro se, requests Rehearing in this Petition for Writ of Certiorari.

Respectfully submitted,

S/ JOHN E. SHAVERS, PRO SE
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A P P E N D I X

No. 06-801

IN THE

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JOHN E. SHAVERS, *PRO SE*

Petitioner

v.

UNITED STATES FIRE INSURANCE COMPANY, et al.,
PETITIONING CREDITORS,

Respondents

The Petition for Writ of Certiorair is Denied.

Dated: March 19, 2007

Justices, Supreme Court of the United States

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

ORIGINAL FILED:
April 2, 2007
By: J.T. NOBLIN, CLERK

SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION
ELECTRONICALLY FILED 04/02/2007 doc. 572

UNITED STATES OF AMERICA

V, CRIMINAL NO. 3:03CR120WS

PAUL S. MINOR,
JOHN H. WHITFIELD, AND
WALTER W. "WES" TEEL

JURY VERDICT

YOUR VERDICT MUST BE UNANIMOUS. PLEASE PLACE AN "X" ON THE APPROPRIATE SPACE. As to each count and any subparts, you must be persuaded by proof beyond a reasonable doubt.

1. Count 1 (Conspiracy)

As to the defendant, PAUL S. MINOR:

GUILTY X NOT GUILTY _____

As to the defendant, John H. Whitfield:

GUILTY X NOT GUILTY _____

If your verdict on Count 1 is Guilty, indicate the underlying object or objects on which you unanimously agree were committed

by the defendant(s) as part of the conspiracy. You must unanimously agree on at least one of the underlying objects to return a guilty verdict on Count 1:

a. To devise and intend to devise a scheme and artifice to defraud and deprive the State of Mississippi of its intangible right to Honest Services and for the purpose of executing the scheme and artifice to knowingly use and cause to be used the United States mails and private and commercial interstate carrier, in violation of SECTIONS 1341, 1346 AND 2, TITLE 18, UNITED STATES CODE.

X PROVED _____ NOT PROVED

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b. To devise and intend to devise a scheme and artifice to defraud and deprive the State of Mississippi of its intangible right to Honest Services and for the purpose of executing the scheme and artifice, to knowingly transmit and cause to be transmitted writings and sounds by communication in interstate commerce by means of wire, in violation of Sections 1343, 1346 and 2, Title 18, United States Code.

X PROVED _____ NOT PROVED

c. To corruptly accept or agree to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions of the government involving anything of value of $ 5,000 or more while being an agent of a state or local government and when such government or agency received, in any one year period, benefits in excess of $ 10,000 under a Federal

Program in violation of Section 666(a)(1)(B), Title 18, United States Code.

X PROVED _____ NOT PROVED

d. To corruptively give, offer, or agree to give anything of value to any person, with intent to influence or reward an agent of a state or local government, in connection with any business, transaction, or series of transactions of such government or agency involving anything of value of $5,000 or more when such state or local government or agency received, in any one year period, benefits in excess of $10,000 under a Federal Program in violation of Section 666(a)(2)(b), Title 18, United States Code.

X PROVED _____ NOT PROVED

2. Count 2 (Conspiracy)

As to the defendant, PAUL S. MINOR:

X PROVED _____ NOT PROVED

As to the defendant, WALTER W. "WES" TEEL"

X PROVED _____ NOT PROVED

If your verdict on Count 2 is guilty, indicate the underlying object or objects on which you unanimously agree were by the defendant(s) as part of the conspiracy. You must unanimously

agree on at least one of the underlying objects to return a guilty verdict on Count 2:

a. To devise and intend to devise a scheme and artifice to defraud and deprive the State of Mississippi of its intangible right to Honest Services and for the purpose of executing the scheme and artifice to knowingly use and cause to be used the United States mails and private and commercial interstate carrier, in violation of SECTIONS 1341, 1346 AND 2, TITLE 18, UNITED STATES CODE.

X PROVED _____ NOT PROVED

b. To devise and intend to devise a scheme and artifice to defraud and deprive the State of Mississippi of its intangible right to Honest Services and for the purpose of executing the scheme and artifice, to knowingly transmit and cause to be transmitted writings and sounds by communication in interstate commerce by means of wire, in violation of Sections 1343, 1346 and 2, Title 18, United States Code.

X PROVED _____ NOT PROVED

c. To corruptly accept or agree to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions of the government involving anything of value of $ 5,000 or more while being an agent of a state or local government and when such government or agency received, in any one year period, benefits in excess of $10,000 under a Federal Program in violation of Section 666(a)(1)(B), Title 18, United States Code.

X PROVED _____ NOT PROVED

d. To corruptively give, offer, or agree to give anything of value to any person, with intent to influence or reward an agent of a state or local government, in connection with any business, transaction, or series of transactions of such government or agency involving anything of value of $5,000 or more when such state or local government or agency received, n any one year period, benefits in excess of $10,000 under a federal program in violation of Section 666(a)(2)(b), Title 18, United States Code.

X PROVED _____ NOT PROVED

3. Count 3 (RICO) (Racketeer Influenced Corrupt Organizations)

As to the defendant, PAUL S. MINOR:

GUILTY X NOT GUILTY _____

If your verdict on Count 3 is guilty, indicated the Racketeering Acts on which you unanimously agree were committed by defendant PAUL S. MINOR as part of a pattern of racketeering activity. You must unanimously agree on at least two of the racketeering acts to return a guilty verdict on Count 3.

If your verdict on Count 3 is not guilty, proceed to Count 4.

Racketeering Act One:
(Bribery involving $40,000 loan to John Whitfield:

X PROVED _____ NOT PROVED

Racketeering Act Two:
(Bribery involving $100,000 loan to John Whitfield):

X PROVED _____ NOT PROVED

Racketeering Act Three:
(Bribery involving $24,500 loan to Walter W. "Wes" Teel):

X PROVED _____ NOT PROVED

Racketeering Act Four:
(Wire fraud involving payoff of loan to John Whitfield):

X PROVED _____ NOT PROVED

4. Count 4 (Mail Fraud/Honest Services Fraud)

As to the defendant, PAUL S. MINOR:

GUILTY X NOT GUILTY ___

As to the defendant, JOHN H. WHITFIELD:

GUILTY X NOT GUILTY ___

5. Count 5 (Mail Fraud/Honest Services Fraud)

As to the defendant, PAUL S. MINOR:

GUILTY X NOT GUILTY ___

As to the defendant, JOHN H. WHITFIELD:

GUILTY X NOT GUILTY ___

6. Count 6 (Mail Fraud/Honest Services Fraud)

GUILTY X NOT GUILTY ___

As to the defendant, JOHN H. WHITFIELD:
GUILTY X NOT GUILTY ___

7. Count 7 (Mail Fraud/Honest Services Fraud)
As to the defendant, JOHN H. WHITFIELD:
GUILTY X NOT GUILTY ___

8. Count 8 (Mail Fraud/Honest Services Fraud)
As to the defendant, PAUL S. MINOR:

GUILTY X NOT GUILTY ___

9. Count 9 (Mail Fraud/Honest Services Fraud)

As to the defendant, PAUL S. MINOR:

GUILTY X NOT GUILTY ___

As to the defendant, WALTER W. "WES" TEEL:
GUILTY X NOT GUILTY ___

10. Count 10 (Mail Fraud/Honest Services Fraud)
As to the defendant, PAUL S. MINOR:
GUILTY X NOT GUILTY ___

As to the defendant, WALTER W. "WES" TEEL:
GUILTY X NOT GUILTY ___

11. Count 11 (Bribery/Federal Program)
As to the defendant, JOHN H. WHITFIELD:

GUILTY X NOT GUILTY ___

12. Count 12 (Bribery/Federal Program)
As to the defendant, PAUL S. MINOR:

GUILTY X NOT GUILTY ___

13. Count 13 (Bribery/Federal Program)
As to the defendant, WALTER W. "WES" TEEL:

GUILTY X NOT GUILTY ___

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14. Count 14 (Bribery/Federal Program)
As to the defendant, Paul S. Minor:

GUILTY X NOT GUILTY ___

15. If you have found under any counts of the indictment that John H. Whitfield was an agent of a subdivision of the Judicial Branch of the state government of Mississippi receiving federal funds in excess of $10,000.00 during any one-year period as charged in the indictment, please mark below the source of those federal funds.

X The Administrative Office of the Courts

_____ The Harrison County, Mississippi, Board of Supervisors general fund

16. If you have found under any counts of the indictment that Walter "Wes" Teel was an agent of a subdivision of the Judicial Branch of the state government of Mississippi receiving federal funds in excess of $10,000.00 during any one-year period as charged in the indictment, please mark below the source of those federal funds.

X The Administrative Office of the Courts

_____ The Harrison County, Mississippi, Board of Supervisors general fund

Dated: this the 30th day of March 2007.

S/ JURY FOREMAN

CERTIFICATE OF PRO SE PETITIONER

In accordance with Rule 44 (2), Supreme Court Rules, petitioner certifies that the Petition for Rehearing is restricted to the grounds specified in Paragraph 2, Rule 44, that it is presented in good faith and not for delay based upon an intervening, superceding circumstance, Federal conviction of two Mississippi State Court Judges, not previously presented to this Honorable Court.

S/ JOHN E. SHAVERS
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CORRECTED, AMENDED, AND SUPPLEMENTAL
PROOF OF SERVICE
RULE 29 SUPREME COURT RULES

John E. Shavers certifies that he post marked the Petition for Rehearing this 13th day of April 2007 United States First Class Mail properly addressed to the Clerk of Court, United States Supreme Court and served a True Copy of Petition for Rehearing Denial Writ of Certiorari on Respondent, United States Fire Insurance Company, a Delaware corporation, through its Counsel of Record, Honorable Thomas P. Scrivo, Louis A. Modugno, Eric J. Hughes, McElroy, Deutsch, Mulvaney & Carpenter LLP, 1300 Mount Kemble Ave., P.O. Box 2075, Morristown, New Jersey 07962-2075 this 13th day of April 2007.

John E. Shavers further certifies that he post marked the forty printed booklets, 6 1/8 X 9 1/4 inch paper, including original, Petition for Rehearing 06-801, *John E. Shavers v. United States Fire Insurance Company, et al,* United States First Class Mail, May 2, 2007, properly addressed to the Clerk of Court, United States Supreme Court, Office of the Clerk, Washington, DC 20543-0001, and served three True Copies of Petition for Rehearing Denial Writ of Certiorari on Respondent, United States Fire Insurance Company, a Delaware corporation, through its Counsel of Record, Honorable Thomas P. Scrivo, Louis A. Modugno, Eric J. Hughes, McElroy, Deutsch, Mulvaney & Carpenter LLP, 1300 Mount Kemble Avenue, P.O. Box 2075 Morristown, New Jersey 07962-2075 this 2nd day of May 2007, in accordance with Letter of Deficiency, rendered April 17, 2007, by Deputy Clerk, Jeffrey Atkins, United States Supreme Court.

S/ JOHN E. SHAVERS, PRO SE
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